

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITES STATES OF AMERICA,)

Plaintiff,)

V.

Case No. CR-10-235-D

TRINA TAHIR,)

Defendant.)

and

BANCFIRST,)

And its Successors or Assigns,)

Garnishee.)

ORDER

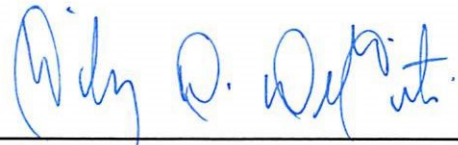
Before the Court is the Report and Recommendation issued November 19, 2024, by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B)-(C) [Doc. No. 342]. Judge Erwin recommends denying Defendant's Request for Hearing [Doc. No. 335] and entering an order directing Garnishee as to the disposition of Defendant's interest in related checking accounts, savings accounts, certificates of deposits, individual retirement accounts, and/or other investment accounts.

A review of the case file reflects that Defendant has neither filed a timely objection to the Report nor requested additional time to object. In this instance, it appears that Defendant's lack of objection may be due to a lack of notice. Recent mailings to Defendant's address of record have been returned as undeliverable [Doc. Nos. 341, 343].

The Court finds that any failure to receive a copy of the November 19 Report does not provide a basis for an exception to the court of appeals' "firm waiver rule" because Defendant was responsible for giving notice of any change of address. *See Theede v. United States Dep't of Labor*, 172 F.3d 1262, 1267-68 (10th Cir. 1999) (pro se plaintiff who failed to provide any change of address or address correction waived right to review by failing to make a timely objection); *see also* LCvR5.4(a) (requiring written notice of a change of address). Therefore, the Court finds that Defendant has waived further review of the issues addressed in the Report.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 342] is **ADOPTED** in its entirety. An order directing Garnishee as to the disposition of Defendant's interest in related accounts shall be issued separately. Defendant's motion titled Request of Hearing [Doc. No. 335] is **DENIED**.

IT IS SO ORDERED this 6th day of December, 2024.



TIMOTHY D. DeGIUSTI
Chief United States District Judge